

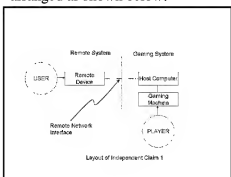
REMARKS

No new matter is added by this amendment. The present application was filed on September 12, 2003 with original claims 1-58. In a prior amendment, claims 1 and 30 were amended and new claims 59-62 were added. By this amendment new claims 63 and 64 were added. The claims remaining in consideration are claims 1-64. Reconsideration is respectfully requested.

Claims 1-12, 14, 22-28, 30-40 and 50-56 were rejected under 35 USC §102(b) as being anticipated by US Patent 6,024,641 issued February 15, 2000 to Robert A. Sarno ("Sarno"). This rejection is respectfully traversed.

Amended independent claim 1 sets forth a remote system for use with a gaming system. The gaming system implements a player tracking system and has at least one gaming machine playable by a player and a host computer coupled to the at least one gaming machine by a network. The remote system includes a remote device which is embodied in a mobile computer which may be carried by a user, such as an employee of a casino. The remote system also includes a remote network interface coupled to the remote device for exchanging data between the host computer and the remote device. The data including sign-up information to enroll the player in the player tracking system.

Thus, the remote system and gaming system set out by independent claim 1 is arranged as shown below:



Sarno in contrast discloses a system related to lottery gaming. The Sarno system provides a server or provider computer 12 and a client or user computer 14 (see Figure 1). The server or provider computer 12 is used to select the winning lottery numbers or establish the elements of a winning combination (see Abstract) and to store "gaming

data and other relevant data" that the player can access. The player utilizes the client or user computer 14 to connect to the server or provider computer 12 and either log on to sign-up (see Figure 2 and column 5, lines 30-44). Once a player sign-ups, the player can then logon to the system and then enter their selections to play the game (column 5, lines 45-52).

Although it is unclear and any such teaching is minimal, Sarno:

1. states that the “provider computer **12b** may comprise, for example, but not limited to, a personal computer, a mainframe computer, network computer, portable computer, personal digital assistant (such as, a 3Com Palm Pilot), or the like” (column 4, lines 16-19).
2. states that the player (i.e., the “user” in Sarno) can access host computer through a personal digital assistant (PDA) (see column 1, lines 8-18).

Thus, the Sarno system includes (at most) a gaming machine (which may be a PDA) and a host computer (which may a PDA). Sarno does not teach a third device, i.e., the remote device of claim 1, which is used by a user (as opposed to the player of the gaming machine) to enroll or sign-up the player. Sarno requires that the player sign-up and login before playing the game, i.e., picking their elements.

Typically, player tracking systems in casinos are optional. Thus, the player does not have to belong to the player tracking system in order to play a gaming machine. In the remote system of the present invention, a user, i.e., a casino employee uses the remote device to enter data to enroll the player.

Sarno makes no teaching of a third device for enrolling player, nor does Sarno make the distinction between the player and user as set forth in claim 1.

Amended independent 30 sets forth a method for enrolling a player in a player tracking system for use with a gaming system. The gaming system includes at least one gaming machine playable by the player. The method includes the steps of providing a remote device which may be carried by a user, sending a fillable form to the remote device, and filling out the form with data, by a the user, on the remote device for enrolling the player in the player tracking system.

Again, Sarno does not teach use of a remote device separate from the gaming device and the host server useable by a user (who is not the player), as set forth in independent claim 30.

Since Sarno does not include each and every element of independent claim 1 or of independent claim 30, applicants respectfully assert that the §102(b) rejections of claims 1 and 30 are improper and must be withdrawn. Claims 2-11, 14, and 22-8 are ultimately dependent upon independent claim 1 and claims 31-40, and 50-56 are ultimately

dependent upon independent claim 30. Therefore, for the reasons set forth above and based on their own merits, applicants respectfully assert that claims 2-12, 14, 22-28, 31-40 and 50-56 are allowable.

Claims 15-21 and 43-49 were rejected under 35 USC §103(a) as being unpatentable over Sarno in view of Ramakrishnan. This rejection is respectfully traversed.

The Examiner utilizes Ramakrishnan to teach the use of a database. However, claims 15-21 and 43-49 are dependent upon either claim 1 or 30. Ramakrishnan does not overcome the deficiencies of Sarno. Therefore, for the reasons set forth above and based on their own merits, applicants respectfully assert that claims 15-21 and 43-49 are allowable.

Claims 13, 29, 41-42 and 57-62 were rejected under 35 USC §103(a) as being unpatentable over Sarno in view of US Patent 5,674,128 issued to Holch et al. This rejection is respectfully traversed.

The Examiner utilizes Holch to teach the use of a database. However, claims 13, 29, 41-42 and 57-62 are dependent upon either claim 1 or 30. Holch does not overcome the deficiencies of Sarno. Therefore, for the reasons set forth above and based on their own merits, applicants respectfully assert that claims 13, 29, 41-42 and 57-62 are allowable.

New independent claims 63 and 64 set forth a system and method similar to the system and method claimed in claims 1 and 30, however, some of the elements are more positively set forth. Applicants respectfully assert that new claims 63 and 64 are allowable.

All of the Examiner's rejections and objections having been successfully traversed and/or made moot, applicants respectfully assert that the present application is now in condition for allowance. An early Notice of Allowance is solicited. If the Examiner believes that a telephone interview would be appropriate, please contact the undersigned at the number provided below.

Applicant: Jeffrey George
Serial No.: 10/661,392
Group Art Unit: 3713

If any additional fees become required, the Commissioner is hereby authorized to charge additional fees or credit any overpayments to Deposit Account 08-2789 in the name of Howard & Howard Attorneys, P.C.

Respectfully submitted

HOWARD & HOWARD ATTORNEYS, P.C.

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Date

/James R. Yee/
James R. Yee, Registration No. 34,460
The Pinehurst Office Center, Suite #101
39400 Woodward Avenue
Bloomfield Hills, Michigan 48304
(248) 645-1483